

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

_____)	
CIT COMMUNICATIONS)	
FINANCE CORP.))	
)	
Plaintiff,)	
)	Civil Action No. 04-5321 (GEB)
v.)	
)	ORDER
HOMEBOUND MORTGAGE, INC.,)	
GARY W. TUORILA AND JUDITH C.)	
TUORILA,)	
)	
Defendant.)	
_____)	

BROWN, Chief Judge

This matter having come before the Court upon the Motion for Summary Judgment of Plaintiff CIT Communications Finance Corp. (“CIT” or “Plaintiff”) and the Cross-Motions for Partial Summary Judgment and for Sanctions of Defendants Homebound Mortgage, Inc. (“Homebound”), Gary Tuorila (“Gary”) and Judith Tuorila (“Judith”) (collectively, “Defendants”); and the Court having decided the motion based on the parties’ submissions and without oral argument pursuant to Federal Rule of Civil Procedure 78; and for the reasons set forth in the Memorandum Opinion accompanying this Order;

IT IS THIS 11th day of October, 2006

ORDERED that CIT’s Motion for Summary Judgment as to Gary and Judith’s liability under the G3R Lease is DENIED; and

ORDERED that CIT’s Motion for Summary Judgment as to Gary and Judith’s liability under the Prologix Lease is GRANTED; and

ORDERED that CIT's Motion for Summary Judgment as to Homebound's liability under the G3R and Prologix Leases is GRANTED; and

ORDERED that Defendants' Motion for Partial Summary Judgment is GRANTED; and

ORDERED that Defendants' Motion for Sanctions is DENIED, without prejudice.

s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.